

open the U.S.-Mexico border at any cost, with minimal regard for the safety of the traveling public, and little attention to the concerns raised by the House and Senate. Today's amendment is the culmination of a mounting effort to ensure safety and to hold the U.S. Department of Transportation ("DOT") accountable as the Department reveals its plans for opening our nation's southern border.

On February 23, 2007, Secretary of Transportation Peters announced the start of a one-year pilot program to grant 100 Mexico-domiciled trucking companies unrestricted access to U.S. roads, beyond the commercial zones at the U.S.-Mexico border. DOT has acknowledged that this pilot program is the first step to full border opening. This announcement had generated a groundswell of opposition.

Since February, Congress has tried to shed some light on this pilot program. On March 13, 2007, the Subcommittee on Highways and Transit held an oversight hearing on the pilot program. Chairman DeFazio and I have asked the Inspector General of the Department of Transportation to review the proposed pilot program for compliance with all applicable motor carrier safety and hazardous materials laws and regulations.

On March 29, 2007, Representative BOYDA introduced H.R. 1773, the Safe American Roads Act of 2007, of which I am a proud sponsor. This legislation limits the authority of the Secretary of Transportation to unilaterally open the United States-Mexico border to truck and bus traffic under the ruse of a hasty pilot program. Instead the bill provides the U.S. with an opportunity to test, evaluate, and learn from the impacts of allowing Mexico-domiciled trucks on our highways, but only once a strict set of prerequisites are met and only under a specific set of conditions.

At the beginning of May, the Committee on Transportation and Infrastructure ordered the bill reported to the House by a vote of 66-0. The House passed the bill on May 15, 2007, by an overwhelming vote of 411-3.

The message to Secretary Peters has been clear: proceed with caution and do not open the border to Mexico-domiciled trucks until sufficient checks are in place to ensure that they meet U.S. motor carrier safety laws. Yet, DOT opposes the safeguards included in H.R. 1773. It continues to charge ahead, and intends to start the pilot program as early as next month.

The agency seems to have little regard for what findings or shortcomings may come to light in the reviews required to date by Congress. DOT has been unwilling to make changes to its plans to bring the proposed pilot program in line with the strict criteria strongly supported by the House. As a result, we must take this action today to bring this program to a standstill.

I continue to question whether DOT is truly ready to open the border, and whether adequate systems are in place to make sure Mexican carriers meet our strict federal safety requirements. It is well-established that Mexican law does not require many fundamental elements of highway safety that are required for U.S. vehicles and drivers, including hours-of-service restrictions, drug and alcohol testing, and commercial driver's licensing requirements. Data collection issues and tracking violations of Mexican drivers while operating in the U.S. also remains a challenge.

The United States is bound to live up to its commitments under the North American Free

Trade Agreement ("NAFTA"). However, nothing in NAFTA suggests that we must allow Mexico-domiciled motor carriers to operate throughout the U.S. if they pose a safety hazard to our citizens.

Launching a cross-border pilot program represents a major shift in transportation policy. It is the responsibility of DOT to ensure that any program that allows trucks from Mexico to enter the United States must be conducted with the safety of the American people as the highest priority. We must not forget this in a rush to open the border.

I urge my colleagues to join me in supporting the DeFazio amendment.

Mr. DEFAZIO. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO).

The amendment was agreed to.

AMENDMENT NO. 16 OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

Mr. GARY G. MILLER of California. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 16 offered by Mr. GARY G. MILLER of California:

At the end of the bill (before the short title), insert the following:

SEC. 410. None of the funds made available in this Act may be used to take any action to issue a final rule or notice based on, or otherwise implement, all or any part of the proposed rule of the Department of Housing and Urban Development published on Friday, May 11, 2007, on page 27048 of volume 72 of the Federal Register (Docket No. FR-5087-P-01), relating to standards for mortgagor's investment in mortgaged property.

The Acting CHAIRMAN. Pursuant to the order of the House of today, the gentleman from California (Mr. GARY G. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARY G. MILLER of California. Mr. Chairman, I rise today to prevent HUD from implementing a new rule that will effectively close homeownership opportunity to many American families.

In today's housing market, one of the primary barriers to achieving the dream of homeownership is the lack of accumulated wealth and disposable income. Fortunately, some nonprofit organizations have developed programs to provide down payments to qualifying families. Such programs empower individuals and families who lack the necessary funds for down payment and other related costs, but can afford the monthly mortgage payment to become homeowners.

These down payment assistance programs have proven successful in expanding ownership opportunity to low- and moderate-income families. In the past, HUD has permitted the use of these programs in conjunction with FHA-insured loans. Recently, however, HUD issued a proposed rule that would effectively eliminate seller-funded down payment assistance programs.

I am very concerned about the impact of this proposed rule on homeownership in this country. Rather than going too far, I believe we should develop reasonable and fair criteria by which these programs can continue to operate while also protecting the FHA insurance fund. If there are legitimate problems that have been identified by HUD, then let's work together to fix the problems.

The amendment I offer today with Housing and Community Opportunity Subcommittee Chairman WATERS and Mr. AL GREEN of Texas would prohibit funds from being used to implement this proposed rule. It would give Congress time to work with HUD to preserve down payment assistance programs while imposing strong regulations and oversight. This amendment will allow us to put the control in place that will weed out the bad actors, while still allowing those who help millions become homeowners to continue their good work.

Mr. Chairman, I urge my colleagues to support this amendment to preserve homeownership opportunities for all Americans.

Mr. Chairman, I reserve the balance of my time.

Mr. KNOLLENBERG. Mr. Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KNOLLENBERG. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to this amendment which would overturn HUD's urgent attempt to halt these scam practices by the so-called nonprofits that operate under the veil of helping people get mortgages.

Under the guidance of the Inspector General, and in coordination with the Treasury Department, HUD is moving to crack down on so-called nonprofits that offer to pay the down payment so that families can purchase a home. This amendment would overturn that effort and cost the taxpayers some millions of dollars in defaulted loans.

While there may be honest nonprofits, and I am sure there are, that genuinely want to help increase homeownership, this program does have many problems.

First, the default rate for mortgages in which the down payment is paid for by nonprofits is three times the national average. That is the default rate. This has cost millions and is a source of instability to the fund, and, according to HUD, is a major reason that the FHA fund is rapidly heading to a deficit situation.

Second, there is no free lunch. The mortgages are simply turned upside down with the down payment added to the price of the home. They are not free to the homeowner. Further, expensive fees are often added to the costs of the mortgage by nonprofits.

The Treasury Department is moving quickly to revoke the nonprofit status